

04/0

Docket No. 71941/55299

FACSIMILE COVER SHEET

ATTENTION: U.S. Patent and Trademark Office
Group: 3739
FAX NO.: 1-703-746-4060
FROM: David G. Conlin
LOCATION: Dike, Bronstein, Roberts & Cushman, LLP
Intellectual Property Practice Group/Edwards & Angell
P.O. Box 9169
Boston, Massachusetts 02209
Facsimile Numbers: (617) 439-4170 or
(617) 439-7748

TOTAL NUMBER OF PAGES: 23, INCLUDING COVER SHEET

Should there be any problems with the transmission of the following document(s), please contact Louise M. Rappaport at telephone no.: (617) 439-4444.

Applicant: P. Hallen and M. Humayun
Appln. No.: 09/982,549
Filed: 10/18/2001
For: **SOFT TIP CANNULA AND
METHODS FOR USE THEREOF**

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response to Request for Substituted Papers is being transmitted via facsimile to the Patent and Trademark Office on the date shown below. Please charge Deposit Account No. 04-1105 for any Extension of Time or other fees required.

Louise M. Rappaport
Louise M. Rappaport

May 20, 2002
Date

Attorney Docket No. 71941/55299

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: P. Hallen and M. Humayun EXAMINER: Not Yet Assigned

SERIAL NO.: 09/982,549

GROUP: 3739

FILED: October 18, 2001

FOR: SOFT TIP CANNULA AND METHODS FOR USE THEREOF

BOX DUPLICATE OIPE
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202-2327COPY OF PAPERS
ORIGINALLY FILEDCERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted to the USPTO by facsimile at the number indicated 703-746-4060(OIPE).

Date: May 20, 2002By: Louise M. Rappaport
Louise M. RappaportRESPONSE TO REQUEST FOR SUBSTITUTED PAPERS

Sir:

In response to the Request for Substitute Papers dated May 6, 2002 (copy enclosed), which was received on May 10, 2002, enclosed are the documents originally filed on March 18, 2002 (certificate of mailing dated March 8, 2002), as follows:

Copy of return postcard (1 p.).

Copy of Checks in the amount of \$200.00, \$1,115.00 and \$40.00 [3 pp.].

Response to notice to file missing parts filing date granted and request for corrected official filing receipt (2 pp.).

Statement by Practitioner that Application Filed in PTO is the One Inventor
Executed by Signing Declaration [1 p.].

Copy of Notice to File Missing Parts of Nonprovisional Application (1 p.)

Executed recordation form cover sheet (1 p.)

Executed assignment (2 pp.)

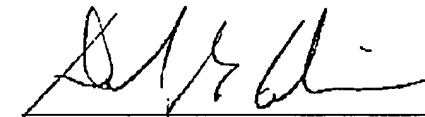
Executed Declaration and power of attorney (4 pp.)

Petition and Fee for Extension of Time Pursuant to 37 C.F.R. 1.136(a) (2
pp.).

Copies of checks for \$1,115.00 and \$40.00 (2 pp.).

Respectfully submitted,
EDWARDS & ANGELL, LLP
DIKE, BRONSTEIN, ROBERTS & CUSHMAN
Intellectual Property Practice Group

Date: May 20, 2002

By: 
David G. Conlin, (Reg. No. 27,026)
Dike, Bronstein, Roberts &
Cushman
Intellectual Property Practice Group
Edwards & Angell
P.O. Box 9169
Boston, MA 02209
(617) 439- 4444

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Application Number	Filing Date	First Named Applicant	Atty. Docket No.
09/982,549	10/18/2001	Hallen, Paul	55299 (71941)

Edwards & Angell, LLP
P.O. Box 9169
Boston MA 02209

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MAY 10 2002

EDWARDS & ANGELL LLP
DIKE BRONSTEIN
ROBERTS CUSHMAN

Title: Soft tip cannula and methods for use thereof

Date Mailed: 05/06/2002

Request for Substitute Papers

The papers filed on 03/18/02 (certificate of mailing dated 03/08/02) are no longer in condition to become part of the permanent records of the United States Patent and Trademark Office (USPTO) for this application (37 CFR 1.52(a)) due to the United States Postal Service sanitization process.

The USPTO requests that applicant provide a copy of the above-identified papers (except for any U.S. or foreign patent documents submitted with the above-identified papers) with a statement that such copy is a complete and accurate copy of the above-identified papers (signing and returning a copy of this notice will provide such a statement). The reply to this letter should be submitted to the USPTO by facsimile at the number indicated 703-746-4060(OIPE).

Alternatively, the reply to this letter may be hand-carried to the Customer Service Window located in Room 1B03 of Crystal Plaza Building 2, Arlington, Virginia, 22202.

The USPTO **strongly** prefers that the reply to this letter be submitted by facsimile. However, if applicant cannot submit the reply to this letter by facsimile (or hand-delivery), the reply may be mailed to: Box Duplicate OIPE, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202-2327.

This letter is not a notice under 37 CFR 1.251. However, failure to timely reply to this notice within **two (2) weeks** of the date of receipt of this letter may result in the USPTO issuing a notice under 37 CFR 1.251. **A copy of this notice should be included with the reply.**

The enclosed papers are a complete and accurate copy of the above-identified papers.

Name: David G. Conlin Registration No.: 27,026

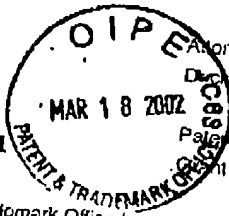
Signature: [Signature] Date: May 20, 2002

DGL/LSM

55299

(1941)

Mailing Date: March 8, 2002
Client: 71941
Inventors: HALLEN et al.
Serial No.: 09/982,549
Filing Date: October 18, 2001



Attorney/Sec: LSH/jah
Doc No.: 55299
Patent No.:
Filing Date:

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of:
Response to Notice to File Missing Parts (2) pages
Copy PART 2 - Notice To File Missing Parts of Nonprov. (1) page;
Declaration and Power of Attorney (executed) (4) pages;
Assignment (executed) (2) pages;
Recordation Form PTO-1596 Cover (1) Sheet;
Statement by Practitioner (1) page;
Petition and Fee for Extension of Time (2) Months (2) pages;
Check for \$40.00 for Recordation Fee, Check for \$200.00 ZMO EOT;
Check for \$1,115.00 for filing fee(s);
Duo Date:
2/20/2002
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71941.55299B	03/08/2002	for PTO code 216	\$200.00	\$0.00	\$200
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71941.55299A	02/19/2002	for PTO codes 205, 201, 204, 203	\$1,115.00	\$0.00	\$1,115.00

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James J. Beebe

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COMMISSION Commissioner of Patents & Trademarks

Invoice No.	Invoice Date	Description	Invoice Amount	Discount	Payment Amc
71941.55299	02/19/2002	for PTO code 581	\$40.00	\$0.00	\$40.00

Docket No. 55299 (71941)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hallen, et al.

U.S.S.N.: 09/982,549

Filed: October 18, 2001

For: Soft Tip Cannula And Methods For Use Thereof

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231.

March 8, 2002

Date

By: 

JUDITH A. HERRICK

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231COPY OF PAPERS
ORIGINALLY FILED02/18/02**RESPONSE TO NOTICE TO FILE MISSING PARTS FILING DATE GRANTED
AND REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Sir:

The following is in response to the Notice to File Missing Parts - Filing Date
Granted mailed November 20, 2001, in the above referenced application.

Enclosed herewith for filing in the subject application are the following:

1. A copy of the Notice to File Missing Parts - Filing Date Granted for the subject application.
2. A properly signed oath or declaration in compliance with 37 CFR 1.63 with power of attorney, identifying the application by the above Application Title and Filing Date, and including residence information.
3. A statement by a registered attorney that the application filed in the PTO is the application that the inventors executed by signing the oath or declaration and power of attorney.
4. Assignment and Recordation Cover Sheet.

Hallen, et al.
U.S.S.N.: 09/982,549
Page 2

Completion of application filing fees as calculated below:

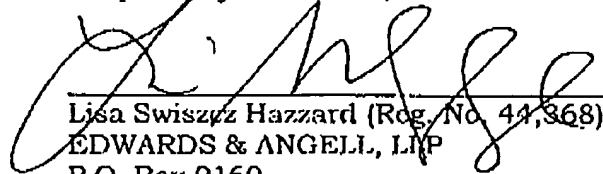
1. Surcharge for late payment of filing fee and/or late filing of original declaration or oath..... \$ 65.00
2. The statutory basic filing fee..... \$ 370.00
3. 60 total claims over 20..... \$ 540.00
4. Multiple dependent claim \$ 140.00
- TOTAL..... \$1,115.00

Enclosed herewith is a check for \$1,115.00 in payment of the total fee due, along with a check for \$40.00 for recording the enclosed Assignment. Applicants note that Assignee, Retinalabs.com, Inc. is a small entity (Small Business Concern).

Applicants also respectfully request that the official filing receipt be corrected to reflect the inventorship of the subject application as provided on the enclosed declaration and to include the addresses for each of the identified inventors.

Applicants conditionally petition for an extension of time to provide for the possibility that such a petition has been inadvertently overlooked and is required. Accordingly, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,



Lisa Swiszez Hazzard (Reg. No. 44,368)
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209
617-439-4444

#191293

Docket No. 55299 (71941)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hallen, et al.

U.S.S.N.: 09/982,549

Filed: October 18, 2001

For: Soft Tip Cannula And Methods For Use Thereof

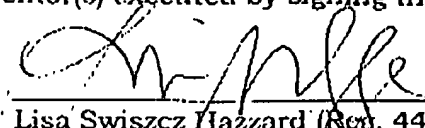
CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on MARCH 8, 2002.

By 
JUDITH A. HERRICK*****
BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231**STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO
IS THE ONE INVENTOR EXECUTED BY SIGNING DECLARATION**

I, Lisa Swiszc Hazzard (Reg. No. 44,368)
DIKE, BRONSTEIN, ROBERTS & CUSHMAN, LLP
Intellectual Property Practice Group of
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209

state I am the registered practitioner for this application and the application identified above is the application that the inventor(s) executed by signing the declaration that is being submitted herewith.

Date: 3/8/02
Lisa Swiszc Hazzard (Reg. 44,368)
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209
617-439-1111

191293



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/982,549	10/18/2001	Paul Hallen	55299

CONFIRMATION NO. 7737

FORMALITIES LETTER

03118702
OC000000007100225

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COPY OF PAPERS
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03118702

Date Mailed: 11/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1360.
 - \$1080 for 60 total claims over 20.
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2230.

*A copy of this notice **MUST** be returned with the reply.*


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PART 2 - COPY TO BE RETURNED WITH RESPONSE

D
6

Docket No. 55299 (71941)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hallen, et al.

U.S.S.N.: 09/982,549

Filed: October 18, 2001

For: Soft Tip Cannula And Methods For Use Thereof

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on MARCH 8, 2002.

By: JUDITH A. HERRICK

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

**PETITION AND FEE FOR EXTENSION OF TIME
PURSUANT TO 37 C.F.R. 1.136(a)**

Sir:

This is a petition pursuant to 37 C.F.R. 1.136(a) for an extension of time for a total period of two (2) months to March 20, 2002 in response to the Notice to File Missing Parts mailed November 20, 2001.

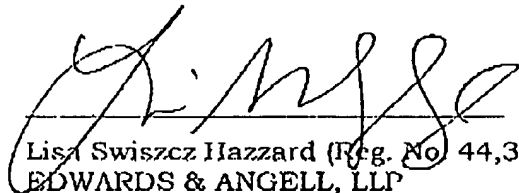
Enclosed herewith is a check for the required fee of \$200.00 (small entity) under 35 USC §1.17(a)(1).

Applicants also conditionally petition for a further extension time to provide for the possibility that such a petition is required.

Hallen, et al.
U.S.S.N.: 09/982,549
Page 3

If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105.

Respectfully submitted,



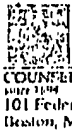
Lisa Swiszczy Hazzard (Reg. No. 44,368)
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209
Tel. No. (617) 439-4444

191293

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71941.55299A	02/19/2002	for PTO codes 205, 201, 204, 203	\$1,115.00	\$0.00	\$1,115.00

MAY-20-2002 MON 05:18 PM EDWARDS & ANGELL

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Invoice No.	Invoice Date	Description	Invoice Amount	Discount	Payment Amount
71941.55299	02/19/2002	for PTO code 581	\$40.00	\$0.00	\$40.00